



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF

MAY 12 2005

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jeffrey A. Seppa, Plant Manager
Degussa Goldschmidt Chemical Corporation
8300 West Route 24
Mapleton, Illinois 61547

Re: Notice of Violation/
Finding of Violation
Degussa Goldschmidt
Chemical Corporation

Dear Mr. Seppa:

The United States Environmental Protection Agency is issuing the enclosed Notice of Violation and Finding of Violation (NOV/FOV) to Degussa Goldschmidt Chemical Corporation (you) under Section 113(a)(1) and (3) of the Clean Air Act, 42 U.S.C. § 7413(a)(1) and (3). We find that you are violating the Illinois State Implementation Plan (SIP) and your Illinois Title V Clean Air Act Permit Program (CAAPP) permit at your Mapleton, Illinois facility.

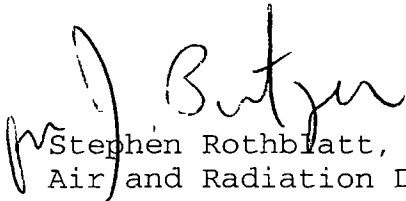
Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action. The options we select may depend on, among other things, the length of time you take to achieve and demonstrate continuous compliance with the rules cited in the NOV/FOV.

We are offering you an opportunity to confer with us about the violations alleged in the NOV/FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply, and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Brian Dickens. You may call him at (312) 886-6073 to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "S. Rothblatt".

Stephen Rothblatt, Director
Air and Radiation Division

cc: Julie Armitage, Acting Manager

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
)	
Degussa Goldschmidt Chemical)	NOTICE OF VIOLATION AND
Company, Mapleton, Illinois)	FINDING OF VIOLATION
)	
)	EPA-5-05-IL-10
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. § 7401 <u>et seq.</u>)	
_____)	

NOTICE AND FINDING OF VIOLATION

The United States Environmental Protection Agency (U.S. EPA) is issuing this Notice and Finding of Violation under Sections 113(a)(1) and (3) of the Clean Air Act (Act), 42 U.S.C. §§ 7413(a)(1) and (3). U.S. EPA finds that Degussa Goldschmidt Chemical Corporation (Degussa) is violating the Illinois State Implementation Plan (SIP) and its Illinois Title V Clean Air Act Permit Program (CAAPP) permit, as follows:

Statutory and Regulatory Background

1. On March 7, 1995, U.S. EPA gave the Illinois Title V Clean Air Act Permit Program (CAAPP) interim approval as a 40 C.F.R. Part 70 permit program under the authority of Section 502 of the Act, 42 U.S.C. § 7661(a) (60 Fed. Reg. 12478). On December 4, 2001, U.S. EPA gave the Illinois Title V CAAPP final approval as a 40 C.F.R. Part 70 permit program (66 Fed. Reg. 62946). The regulation at 40 C.F.R. § 70.6(b)(1) specifies that all terms and conditions in a permit issued under a Part 70 program are enforceable by U.S. EPA under the Act.
2. On February 21, 1980, U.S. EPA approved 35 Illinois Administrative Code (IAC) Part 215 as part of the federally enforceable SIP for Illinois. (45 FR 11472).
3. On March 7, 1996, Degussa applied for a Title V permit pursuant to the CAAPP, application number 96030145. On May 9, 2003, Illinois EPA issued Degussa a Title V CAAPP permit under the Illinois Part 70 program for the Mapleton, Illinois facility. This permit expires on May 9, 2008.
4. 35 IAC 215.301 and condition 7.1.3.c of Degussa's Title V

permit state that no person shall cause or allow the emission of organic material in excess of 8 pounds per hour to the atmosphere from any emission source, except as provided in part 35 IAC 215.302, 215.303, and 215.304, and except that if no odor nuisance exists then the limitations of this rule shall only apply to photochemically reactive material.

5. 35 IAC 201.102 defines an emission source as any equipment or facility capable of emitting specified air contaminants to the atmosphere.
6. 35 IAC 215.141 and condition 5.2.2.c of Degussa's Title V permit state that no person shall use an effluent water separator which receives effluent water containing 200 gallons a day or more of organic material unless such separator is equipped with control equipment that reduces the uncontrolled organic material emissions by 85%, except that if no odor nuisance exists then the limitations of this rule shall only apply to volatile organic material.
7. 35 IAC 211.1870 defines an effluent water separator as any tank, box, sump or other apparatus in which any organic material floating on or entrained or contained in water entering such tank, sump or other apparatus is physically removed and separated from such water prior to outfall, drainage or recovery of such water.

Degussa Facility Facts and Discussion

8. Degussa owns and operates a specialty chemical facility at 8300 West Route 24 in Mapleton, Illinois.
9. Illinois Environmental Protection Agency representatives from the Bureau of Air in Peoria have documented complaints of nuisance odors prior to May 9, 2003 generated by emissions of organic material, including amines and ammonia, from the Mapleton facility. The wastewater Degussa processes contains amines and methyl chloride and Degussa processes amines, methyl chloride, and isopropyl alcohol in the quaternary reactors.
10. U.S. EPA has documented complaints of nuisance odors emanating from the Mapleton facility. A U.S. EPA representative visited the Mapleton facility on July 27, 2004 and detected odors at the wastewater treatment operations.

11. An odor nuisance exists at the Mapleton facility caused by emissions from the quaternary reactors and wastewater treatment operations.

Section 215.141 (Effluent Water Separator):

12. Degussa operates two Dissolved Air Flotation (DAF) tanks that meet the definition of effluent water separators. The DAF tanks receive organic material, including but not limited to, fatty amines and methyl chloride, in excess of 200 gallons per day. The tanks do not currently employ air emission control equipment.
13. Degussa calculated that the DAF tanks receive organic material at an average rate of 720 gallons per day. Degussa provided this information to U.S. EPA on October 12, 2004, in response to an Information Request issued under Section 114 of the Act.

Section 215.301 (Use of Organic Material):

14. The Degussa CAAPP permit defines quaternary reactors 1, 2, and 3 as emission units. These quaternary reactors meet the definition of emission sources and release organic materials including, but not limited to, fatty amines and methyl chloride.
15. Degussa stated the organic material emissions, consisting of methyl chloride, among others, from the quaternary reactors to be:
 - a. Quat 1 - 14.9 pounds per hour
 - b. Quat 2 - 21.8 pounds per hour
 - c. Quat 3 - 20.4 pounds per hour

Degussa provided this information to U.S. EPA on October 12, 2004 in response to an Information Request issued under Section 114 of the Act.

16. Degussa measured the organic material emissions, consisting of methyl chloride, among others, from the quaternary reactors during nitrogen sparging to be:
 - a. Quat 1 - 10.7 pounds per hour
 - b. Quat 2 - 13.6 pounds per hour
 - c. Quat 3 - 54.5 pounds per hour

Degussa provided this information to U.S. EPA on January 14,

2005 in response to an Information Request issued under Section 114 of the Act.

Violations

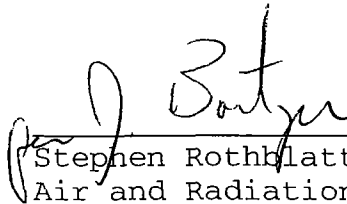
Section 215.141 (Effluent Water Separator):

17. Since May 9, 2003, and on an ongoing basis, Degussa has violated 35 IAC 215.141 and condition 5.2.2.c of Degussa's Title V permit by failing to control organic material emissions from the DAF tanks by 85%.

Section 215.301 (Use of Organic Material):

18. Since May 9, 2003, and on an ongoing basis, Degussa has violated 35 IAC 215.301 and condition 7.1.3.c of Degussa's Title V permit by emitting more than 8 lb/hr of organic material from quaternary reactors 1, 2, and 3.

May 12, 2005
Date



Stephen Rothblatt, Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice and Finding of Violation, No. EPA-5-05-IL-10, by Certified Mail, Return Receipt Requested, to:

Mr. Jeffrey A. Seppa, Plant Manager
Degussa Goldschmidt Chemical Corporation
8300 West Route 24
Mapleton, Illinois 61547

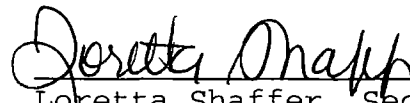
I also certify that I sent copies of the Notice and Finding of Violation by first class mail to:

Wayne O. Kahila, P.E.
District Engineer, Bureau of Air
Illinois Environmental Protection Agency
5415 N. University
Peoria, Illinois 61614

and

Julie Armitage, Section Manager
Compliance and Systems Management Section
Illinois Environmental Protection Agency
P.O. Box 19506
Springfield, Illinois 62794-9506

on the 13th day of May, 2005.


Loretta Shaffer, Secretary
AECAS, (MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0005 9025 6848